

### Welcome and Congratulatory Resolutions

S. R. No. 528—By Senator Mauzy: Extending congratulations to James Lehrer for creation of the novel "Viva Max."

S. R. No. 529—By Senator Jordan: Extending welcome to students of Phillis Wheatley Senior High School of Houston.

S. R. No. 530—By Senator Jordan: Extending welcome to students of Jack Yates High School of Houston.

S. R. No. 531—By Senators Watson and Patman: Extending welcome to Court of Brenham Maifest.

S. R. No. 532—By Senators Word and Hall: Extending congratulations to Damon Richard Capps on receipt of "Hilday's Cutback Award."

S. R. No. 533—By Senator Bernal: Extending congratulations to Sammy Cangelosi on his outstanding achievements.

S. R. No. 534—By Senator Watson: Extending welcome to Jimmy Le Blond of Waco.

### Adjournment

On motion of Senator Aikin the Senate at 11:45 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

### APPENDIX

#### Sent to Governor

Thursday, April 17, 1969

S. C. R. No. 63

S. J. R. No. 6

S. B. No. 112

S. B. No. 14

### FIFTY-THIRD DAY

(Friday, April 18, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

### Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

### Leaves of Absence

Senator Cole was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Watson.

Senator Connally was granted leave of absence for today on account of illness in the family on motion of Senator Word.

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Hightower.

## Message From the House

Hall of the House of Representatives

Austin, Texas,  
April 18, 1969.Hon. Ben Barnes, President of the  
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 117 by non-record vote.

S. C. R. No. 64, Requesting the return of Senate Bill No. 498 to the Senate for further consideration.

S. B. No. 498, A bill to be entitled "An Act providing that local school boards of all public school districts of Texas shall have authority to set a retirement age for its professional and supportive personnel; and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act amending the Penal Code of Texas, 1925, by adding a new Article 698d defining the offense of air pollution and providing for the criminal prosecution of persons and other entities who pollute the air in the State of Texas; declaring the effect of this Act on certain other laws pertaining to air pollution; providing for severability; and declaring an emergency."

(With amendment.)

S. B. No. 435, A bill to be entitled "An Act to authorize and permit transfer annually of any child, other than a high school graduate, who is over six and under 21 years of age, from his resident school district to another Texas district where parent or person having lawful control of child and the receiving district jointly and timely agree in writing to the transfer; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 226, A bill to be entitled "An Act authorizing the commissioners court in certain counties to furnish each county commissioner an automobile for use in official business; and declaring an emergency."

S. J. R. No. 10, Proposing an amendment to Section 20, Article XVI, Constitution of the State of Texas, to provide that the Legislature shall have the power to enact a Mixed Beverage Law regulating the sale of mixed alcoholic beverages on a local option election basis.

S. B. No. 472, A bill to be entitled "An Act relating to the transfer of certain land by the Board of Regents, State Senior Colleges, to the United States; and declaring an emergency."

(With amendment.)

S. B. No. 349, A bill to be entitled "An Act excluding land from Galveston County Water Control and Improvement District No. 21 of Galveston County, Texas; finding proof of publication of notice; and declaring an emergency."

S. B. No. 343, A bill to be entitled "An Act relating to additional certificates of indebtedness for the maintenance of public roads by San Patricio County; amending Chapter 17, Acts of the 59th Legislature, Regular Session, 1965, by adding a Section 4a; and declaring an emergency."

(With amendments.)

S. B. No. 168, A bill to be entitled "An Act validating all proceedings heretofore had in connection with the creation, organization and operation of Harris County Water Control and Improvement District No. 56, including but not limited to the election held in said District on May 28, 1968; and declaring an emergency."

(With amendments.)

S. B. No. 297, A bill to be entitled "An Act providing for the creation and award of the Texas Distinguished Service Medal; and declaring an emergency."

S. B. No. 6, A bill to be entitled "An Act amending the Penal Code of Texas, 1925, by adding a new Article 698c defining the offense of water pollution and providing for the criminal prosecution of persons and other entities who pollute the water in the State of Texas; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 173, A bill to be entitled "An Act investing the Board of Directors of Texas A&M University with the sole and exclusive management and control of lands and mineral interests under its jurisdiction and that may be acquired by it; etc.; and declaring an emergency."

(With amendments.)

H. B. No. 58, A bill to be entitled "An Act relating to validating boundary lines of certain cities and towns; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 568, A bill to be entitled "An Act relating to the taking of certain fish in the waters of Collin County; amending Section 1, Chapter 433, Acts of the 60th Legislature, Regular Session, 1967; and declaring an emergency."

H. B. No. 539, A bill to be entitled "An Act relating to compensation of court reporters in Jefferson County; etc.; and declaring an emergency."

H. B. No. 347, A bill to be entitled "An Act relating to compensation of members of the Juvenile Board of Coleman County; etc.; and declaring an emergency."

H. B. No. 97, A bill to be entitled "An Act providing for the creation of the Bailey County Hospital District; etc.; and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act relating to the compensation of members of the Ector County Juvenile Board; etc.; and declaring an emergency."

H. B. No. 92, A bill to be entitled "An Act amending Section 1, Chapter 730, Acts of the 60th Legislature, Regular Session, 1967 (Article 978j-1, Vernon's Texas Penal Code), relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Ector County to the list of counties regulated; and declaring an emergency."

H. B. No. 479, A bill to be entitled "An Act relating to increasing the Texas Union Student Fee at The University of Texas at Austin; etc.; and declaring an emergency."

H. B. No. 432, A bill to be entitled "An Act relating to the establishment of an advisory council for the study and research of the problems of language-handicapped children and defining the duties of the Texas Education Agency and the Commissioner of Education; etc.; and declaring an emergency."

H. B. No. 775, A bill to be entitled "An Act relating to the election of trustees of the Fort Worth Independent School District; etc.; and declaring an emergency."

H. B. No. 51, A bill to be entitled "An Act to amend Title 39, Revised Civil Statutes of Texas, 1925, as amended, by adding Article 1824a to authorize the Courts of Civil Appeals to issue writs of habeas corpus; and declaring an emergency."

H. B. No. 402, A bill to be entitled "An Act relating to compensation of the official shorthand reporter for the First Judicial District; and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act relating to the compensation of certain county officials in certain counties; adding a new Section 1B to Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 569, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Pendleton Bridge Utility District'; etc.; and declaring an emergency."

H. B. No. 217, A bill to be entitled "An Act relating to the length of vehicles, motor vehicles, and combinations thereof; etc.; and declaring an emergency."

(Senator Snelson in the Chair.)

### Reports of Standing Committees

Senator Strong submitted the following reports:

Austin, Texas,  
April 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred S. B. No. 376, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRONG, Chairman.

Austin, Texas,  
April 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred S. B. No. 228, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRONG, Chairman.

Senator Moore submitted the following reports:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 743, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

MOORE, Chairman.

C. S. S. B. No. 743 was read the first time.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 487, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 415, have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 589, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

MOORE, Chairman.

C. S. S. B. No. 589 was read the first time.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 565, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 666, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 274, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 504, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 452, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 491, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 571, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 625, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 858, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Creighton submitted the following reports:

Austin, Texas,  
April 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred S. B. No. 692, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
March 31, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred S. B. No. 693, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CREIGHTON, Chairman.

Senator Brooks submitted the following reports:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 653, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 532, have had the same under consideration, and I am instructed to report it back to the Senate with the recom-

mendation that it do pass as amended and be printed.

BROOKS, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 751, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BROOKS, Chairman.

#### House Bill 251 Re-referred

On motion of Senator Bernal, and by unanimous consent, H. B. No. 251 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

#### House Bill 250 Re-referred

On motion of Senator Bernal, and by unanimous consent, H. B. No. 250 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

#### House Bill 253 Re-referred

On motion of Senator Bernal, and by unanimous consent, H. B. No. 253 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

#### House Bill 820 Re-referred

On motion of Senator Bernal, and by unanimous consent, H. B. No. 820 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

#### Senate Bill 343 with House Amendments

Senator Patman called S. B. No. 343 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

#### Amendment 1

Amend Senate Bill No. 343 by striking all below the enacting clause and

substituting the following:

Section 1. San Patricio County is authorized to issue certificates of indebtedness, subject to the limitations of this Act, for the purpose of acquiring rights-of-way located within the county, including those within the corporate limits of a municipality.

Sec. 2. The rights-of-way which may be acquired in the manner provided in this Act are:

(1) those which have been approved by the State Highway Commission for

- (A) designated state highways;
- (B) farm to market highways;
- (C) federal highways; and
- (2) those for county roads.

Sec. 3. In acquiring highway rights-of-way approved by the State Highway Commission, the cost of removing, relocating, and adjusting utilities is a proper expense to be included in the cost of acquisition. Other expenses and costs in connection with the acquisition of any rights-of-way may also be paid with the money obtained in accordance with this Act.

Sec. 4. The Commissioners Court may, by order, authorize certificates of indebtedness up to a total amount of \$500,000, in addition to any other certificates otherwise authorized by law. The certificates shall mature within 15 years from their date, and bear interest at a rate of not more than seven per cent a year. The interest may be evidenced by coupons. The Commissioners Court may not issue, sell, or deliver certificates after five years from the effective date of this Act.

Sec. 5. The Commissioners Court may issue refunding bonds for refunding certificates authorized by this Act, subject to the General Laws applicable to issuing refunding bonds by counties, without the necessity of any notice or right to referendum vote.

Sec. 6. When certificates are issued under the authority of this Act, the Commissioners Court shall levy and have assessed and collected a tax sufficient to pay the principal of and interest on the certificates as they become due. The tax levied shall be chargeable against and levied under and pursuant to the authority of Section 9, Article VIII, Constitution of the State of Texas.

Sec. 7. The certificates authorized by this Act may be sold for cash. The certificates are to be sold for not less than par and accrued interest.

The certificates are public securities and fully negotiable. The certificates are authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, savings and loan associations, fiduciaries, trustees, guardians, and for the county permanent school funds of the counties of this state, and for the sinking funds of any political subdivision of this state. The certificates are eligible to secure the deposit of public funds of the state or any political subdivision of the state; the certificates are sufficient security for deposits to the extent of their face value or their market value, whichever is less, when accompanied by all unmatured coupons appurtenant to the certificates.

Sec. 8. The certificates authorized by the order of the Commissioners Court shall be manually signed by the county judge and attested by the county clerk, and the seal of the Commissioners Court shall be impressed on each certificate, unless the order of the Commissioners Court authorizing the issuance of certificates provides for the use of facsimile signatures and seals in accordance with Chapter 204, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 717j-1 Vernon's Texas Civil Statutes). Facsimile signatures of the county judge and county clerk may be printed or lithographed on the interest coupons.

Sec. 9. The certificates and records relating to their issuance shall be submitted to the Attorney General for examination. If the Attorney General determines that the certificates have been issued in accordance with the Constitution and this Act, he shall approve them. After the certificates have been approved, they shall be registered by the Comptroller of Public Accounts, and thereafter are uncontestable.

Sec. 10. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 11. The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the Con-

stitutional Rule requiring bills to be read on three several days in each House be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### Amendment 2

Amend Senate Bill No. 343 by striking all above the enacting clause and substituting the following:

#### A BILL TO BE ENTITLED

AN ACT relating to certificates of indebtedness for the maintenance of public roads by San Patricio County; and declaring an emergency.

The House amendments were read.

Senator Patman moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

#### Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

#### Vote by Which Senate Bill 498 Finally Passed Reconsidered

Senator Aikin moved that the portion of Senate Rule 52 relating to reconsideration be suspended.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Bridges
Bernal	Brooks
Berry	Christie
Blanchard	Creighton

Grover	Moore
Hall	Patman
Harris	Ratliff
Hazlewood	Snelson
Herring	Strong
Hightower	Watson
Jordan	Wilson
Mauzy	Word
McKool	

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

On motion of Senator Aikin, and by unanimous consent, the vote by which S. B. No. 498 was finally passed was reconsidered.

Question—Shall S. B. No. 498 be finally passed?

The bill was again finally passed by the following vote:

## Yeas—25

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

## Senate Bill 168 with House Amendments

Senator Brooks called S. B. No. 168 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

## Committee Amendment 1

Amend S. B. 168 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. That the election held in Harris County Water Control and Improvement District No. 56 on May 28, 1968, authorizing the issuance of

the unissued bonds of said District voted at said election held in said District on March 27, 1956, at an interest rate not to exceed the maximum interest rate authorized by law for water control and improvement districts organized under the general laws of Texas, particularly Articles 7880-1, et seq., V. T. C. S., as amended, is hereby in all things validated.

Section 2. That proof of publication of the Constitutional Notice required in the enactment hereof under the provisions of Paragraph (d) of Section 59 of Article XVI of the Texas Constitution has been made in the manner provided herein, and a copy of said notice and the Bill as originally introduced have been delivered to the Governor of the State of Texas as required in such Constitutional provision, and such notice and delivery are hereby found and declared to be proper and sufficient to satisfy such requirements.

Section 3. That the fact that there was some question as to the statutory authority of said District to hold said election and that the validation of said election will result in material benefit to the State of Texas and to the territory included in said District and will promote effectively the conservation of water in the State of Texas creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills shall be read on three separate days in each House be suspended, and this Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

## Committee Amendment 2

Amend S. B. No. 168 by striking out all above the enacting clause and substituting in lieu thereof the following:

A BILL  
TO BE ENTITLED

AN ACT validating the election held in Harris County Water Control and Improvement District No. 56, on May 28, 1968, concerning bonds voted at an election held therein on March 27, 1956; containing other provisions relating to the subject; and declaring an emergency.

The House amendments were read.

Senator Brooks moved that the Senate concur in the House amendments.

The motion prevailed.



**Co-Authors of Senate Bill 661**

On motion of Senator Strong, and by unanimous consent, Senators Strong, Hall, Creighton and Snelson will be shown as Co-authors of S. B. No. 661.

**Senate Bill 661 on Second Reading**

On motion of Senator Herring, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 661, A bill to be entitled "An Act relating to the sale or distribution of harmful materials to minors; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following Committee Amendment to the bill:

"Amend Section 3(a) of S. B. 661 to read as follows: "(a) 'Minor' means any person under the age of seventeen years."

The Committee Amendment was read and was adopted.

Senator Herring offered the following amendment to the bill:

Amend Senate Bill 661 by deleting the word "complaint" wherever it appears and substituting the word "petition" in lieu thereof.

The amendment was read and was adopted.

Senator Herring offered the following amendment to the bill:

Amend Section 5 of Senate Bill 661 by deleting the first sentence thereof and substituting in lieu thereof the following:

"The action authorized by Section 4 shall be commenced by the filing of a verified petition. If the allegedly harmful material is written or printed, a true copy shall be attached to the petition as an exhibit. If the allegedly harmful material is not written or printed, an affidavit describing such material shall be attached to the petition as an exhibit."

The amendment was read and was adopted.

Senator Herring offered the following amendment to the bill:

Amend Section 11 of Senate Bill 661 by deleting the words "upon conviction after notice and hearing shall be deemed guilty of a felony and shall be punished by confinement in the State Penitentiary for not more than five (5) years or by a fine of not more than Ten Thousand and no/100 Dollars (\$10,000.00) or by both such fine and imprisonment" and substituting in lieu thereof the words, "after notice and a hearing the court may punish such person by a fine not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment not to exceed two (2) years, or both."

The amendment was read and was adopted.

On motion of Senator Herring, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 661 on Third Reading**

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 661 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

**Absent—Excused**

Bates	Harrington
Cole	Kennard
Connally	Schwartz

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

## Co-Authors of Senate Bill 524

On motion of Senator Hazlewood and by unanimous consent Senators Strong and Creighton will be shown as Co-authors of S. B. No. 524.

Committee Substitute  
Senate Bill 524 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 524, A bill to be entitled "An Act relating to regulation and control of obscenity and obscene materials; amending Article 527, Penal Code of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendment to the bill:

Amend Senate Bill No. 524 by striking out Section 3 of the Bill, the Repeal and Savings Clause, and substituting the following therefor:

Section 3. Repeal and Savings Clause.

All acts and parts of acts inconsistent or in conflict with this Act are, to the extent of their inconsistency or conflict, hereby repealed. Expressly repealed are Articles 526 and 527B of the Penal Code of the State of Texas. This Section shall not be construed to affect any suits pending or rights existing or any liability or penalty incurred under those Acts

at the time this Act shall take effect.

The amendment was read and was adopted.

On motion of Senator Hazlewood, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Senate Bill 524 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 524 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

## Senate Resolution 539

Senator Strong offered the following resolution:

Whereas, April 17, 1969, marked the transition of our most distinguished Lieutenant Governor fully into the status of the thirties, it being his thirty-first birthday; and

Whereas, The Members of the Senate of Texas as representatives of approximately eleven million citizens who wish Lieutenant Governor Barnes every best wish upon attaining this milestone, desire to appropriately recognize this significant occasion; now, therefore, be it

Resolved by the Senate of the State of Texas, That our distinguished colleagues, Senators Jordan and Harris, be instructed to assume the rostrum and lead the entire Senate in singing "Happy Birthday" to Lieutenant Governor Barnes.

## STRONG

The resolution was read and was adopted.

Signed: Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Watson, Wilson and Word.

On motion of Senator Hightower, and by unanimous consent, the names of the Senators were added to the resolution as signers thereof.

Senators Jordan and Harris proceeded to the President's Rostrum and led the Members of the Senate and the visitors in the Gallery in singing "Happy Birthday" to Lieutenant Governor Barnes.

## Senate Bill 435 with House Amendments

Senator Word called S. B. No. 435 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

## Amendment 1

Amend S. B. 435 by adding in line 1 page 2 behind the words "parties, no" the words "increase in" and behind the word "charge" the words "over prior years"

## Amendment 2

Amend S. B. 435: Insert the word "contiguous" on line 43, page 1, after the word "another" and before the word "Texas."

## Amendment 3

Add the sentence: "High School pupils may transfer whether or not districts are contiguous" on line 46 after the word "transfer."

The House Amendments were read.

Senator Word moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the Presiding Officer announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Word, Hall, Mauzy, Strong and Creighton.

## Privileges of Floor Extended to Representative Carl Parker

On motion of Senator Hightower, and by unanimous consent, Representative Carl Parker was extended the privileges of the floor for taking pictures of the Senate in session.

## Senate Bill 472 with House Amendments

Senator Herring called S. B. No. 472 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

## Committee Amendment 1

Amend S. B. 472 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. The Board of Regents, State Senior Colleges, is hereby authorized to transfer the following de-

scribed land to the United States, Department of the Interior, for use as a fish hatchery:

A tract of 115.78 acres of land out of the Nathaniel Hubbard Survey #35, Hays County, Texas, being a portion of that tract of 245 acres of land conveyed to Earl B. McCormick by R. E. Johnson, et ex, by deed dated October 16, 1941 and recorded in volume 123, page 34, Hays County Deed Records, and being also a portion of that tract of 275.5 acres of land described as first tract in a deed from Charles Fehlis, et ux, to the State of Texas for the benefit of the Southwest Texas State Teachers College of San Marcos, said deed dated January 1, 1948, and recorded in volume 140, page 320, Hays County Deed Records, said property being more fully described as follows:

Beginning at the intersection of the Southwest line of the said Earl B. McCormick 245 acre tract with the Northwest line of the Interstate Highway #35 right of way for the South corner of the tract herein described, same being on the Northeast line of that tract of 390.31 acres of land conveyed to Walter Kenneth Barnes by H. C. Barnes, et ux, by deed dated May 6, 1963 and recorded in volume 205, page 462, Hays County Deed Records;

Thence, leaving Interstate Highway #35 with the Southwest line of the said Earl B. McCormick 245 acres tract and the Northeast line of the said Walter Kenneth Barnes 390.31 acre tract, N. 45°49' W. 1827.44 feet to the intersection of the Southwest line of the said Earl B. McCormick 245 acre tract with the Southeast line of the M. K. & T. and the I. & G. N. R. R. Company right of way for the West corner of the tract herein described;

Thence, leaving the said Walter Kenneth Barnes 390.31 acre tract with the Southeast line of the M. K. & T. and the I. & G. N. R. R. Company right of way, the following courses numbered (1) through (3):

(1) N. 47°37' E. 787.18 feet,

(2) N. 47°21' E. 846.90 feet,

(3) N. 47°29' E. 1303.36 feet to the intersection of the Southeast line of the M. K. & T. and the I. & G. N. R. R. Company right of way with the Southwest line of a County Road for the North corner of the tract herein described, same being on the Northeast line of the said Southwest Texas State Teachers College 275.5 acre tract:

Thence, leaving the M. K. & T. and the I. & G. N. R. R. Co. right of way with the Southwest line of said County Road and the Northeast line of the Southwest Texas State Teachers College 275.5 acre tract, S. 44°28' E. 1258.48 feet to the intersection of the Southwest line of said County Road with the Northwest line of the Interstate Highway #35 right of way for the Northerly East corner of the tract herein described;

Thence, leaving said County Road with the Northwest line of the Interstate Highway #35 right of way, the following courses numbered (4) through (8):

(4) S. 43°27' E. 102.30 feet,

(5) S. 44°25' W. 160.00 feet,

(6) S. 44°43' E. 260.00 feet,

(7) S. 00°09' E. 71.20 feet,

(8) S. 44°25' W. 2682.78 feet to the place of beginning, containing 115.78 acres of land.

If property herein described is not used within five years from the date of transfer as a fish hatchery, title to the property shall revert to the State of Texas and the conveyance shall so provide.

Section 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The House amendment was read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

Excused Member Returned to  
Senate Chamber

Senator Schwartz who had been excused at the beginning of the Session today returned to the Senate Chamber.

Senate Bill 173 with House  
Amendments

Senator Moore called S. B. No. 173 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

## Committee Amendment 1

Amend the third sentence of Section 1 of Senate Bill No. 173 so that it shall read hereafter as follows:

"The Board of Directors may not, however, sell or otherwise dispose of any land comprising the original main campus of Texas A&M University located at College Station, Brazos County, Texas, except as now authorized by existing law."

## Committee Amendment 2

Amend Senate Bill No. 173 as follows:

1. Strike all of Section 2 and renumber the remaining sections accordingly.

2. Strike the words "buy, and lease" wherever they appear in Section 4.

## Amendment No. 3

Amend S. B. 173 by adding Sec. 4 to read as follows:

This act shall not cover any lands or minerals held by the General Land Office.

Renumber the present Sec. 4 to be numbered Sec. 5.

The House Amendments were read.

Senator Moore moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	

## Senate Bill 743 Ordered Not Printed

On motion of Senator Moore and by unanimous consent S. B. No. 743 was ordered not printed.

## Senate Bill 743 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 743, A bill to be entitled "An Act amending Article IV, Chapter 173, Acts of the 47th Legislature, 1941 (codified as Article 6687b of Vernon's Texas Civil Statutes), relating to the issuance of drivers' licenses and regulations pertaining thereto, by amending Section 25 and adding a new section providing for the issuance of an occupational license; providing for a court order relating to such occupational license; providing a penalty for violation; and declaring an emergency."

The bill was read second time and passed to engrossment.

## Record of Votes

Senators Hightower, Word, Blanchard, Grover, Mauzy, McKool and Creighton asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

## House Bill 858 Ordered not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 858 was ordered not printed.

**House Bill 858 on Second Reading**

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 858, A bill to be entitled "An Act relating to the sale and issuance of a patent on certain unpatented Permanent Free School Fund land in Liberty County with a reservation of all minerals along with the leasing rights to the State; and containing an emergency clause."

The bill was read second time and passed to third reading.

**House Bill 858 on Third Reading**

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 858 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bates	Harrington
Cole	Kennard
Connally	

The Presiding Office then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Aikin	Christie
Bernal	Creighton
Berry	Grover
Blanchard	Hall
Bridges	Harris
Brooks	Hazlewood

Herring	Ratliff
Hightower	Schwartz
Jordan	Snelson
Mauzy	Strong
McKool	Watson
Moore	Wilson
Patman	Word

**Absent—Excused**

Bates	Harrington
Cole	Kennard
Connally	

**Senate Bill 304 on Second Reading**

On motion of Senator McKool, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 304, A bill to be entitled "An Act relating to senatorial district chairmen, senatorial district executive committees, and senatorial district conventions in counties containing all or part of three or more senatorial districts; etc., and declaring an emergency."

The bill was read second time.

Senator McKool offered the following amendment to the bill:

Amend Senate Bill No. 304 as follows:

(1) By striking Sections 2, 4 and 6, and renumber Sections 3, 5, and 7 accordingly.

(2) By striking out Subsection (b), Section 196a-1 on lines 33 through 40 which reads as follows:

"(b) In any county to which this section applies, the senatorial district executive committee in each district or part of a district within the county consists of the precinct chairmen of the election precincts included within that district. The district chairman of each senatorial district or portion of a senatorial district shall be elected by the qualified voters of the senatorial district or that part of the district within the county in the same manner as the county chairman."

and substituting in lieu thereof the following:

"(b) In any county to which this section applies, the senatorial district executive committee in each district or part of a district within the county consists of the precinct chairmen of the election precincts included

within that district. On the second Saturday after the runoff primary election, the senatorial district executive committee in each district or part of a district within the county shall meet and elect one of their number to serve as senatorial district chairman."

(3) By striking the sentence on lines 17 through 22, page 3, of the printed bill which reads as follows:

"The list of precinct chairmen and the county chairman so elected, and in counties to which Section 196a-1 of this Code applies the list of senatorial district chairmen so elected, shall be certified by the chairman of the county committee to the county clerk, along with the nominees of the party."

and substitute in lieu thereof the following:

"The list of precinct chairmen and the county chairman so elected shall be certified by the chairman of the county committee to the county clerk, along with the nominees of the party."

The amendment was read and was adopted.

On motion of Senator McKool, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 304 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 304 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

#### Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—26

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

#### Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	

#### Senate Bill 259 on Second Reading

On motion of Senator Word, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 259, A bill to be entitled "An Act to amend Subdivision 1 of Section 4, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended in Chapter 328, Acts of the 60th Legislature, Regular Session, 1967 (Article 6687b, Section 4, subdiv. 1, V.T.C.S.), relating to who may not be licensed to drive motor vehicles and students enrolled in a State approved driver education teacher preparation program; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 259 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 259 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

## Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	

## Senate Bill 415 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent S. B. No. 415 was ordered not printed.

## Senate Bill 415 on Second Reading

On motion of Senator Wilson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 415, A bill to be entitled "An Act changing the name of Stephen F. Austin State College to Stephen F. Austin State University and changing the name of Sam Houston State College to Sam Houston State University; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Vote by Which Senate Bill 415  
Passed to Engrossment  
Reconsidered**

On motion of Senator Wilson, and by unanimous consent, the vote by which S. B. No. 415 was passed to engrossment was reconsidered.

Question—Shall S. B. No. 415 be passed to engrossment?

Senator Wilson offered the following Committee Amendment to the bill:

Amend Senate Bill 415 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter 261, Acts of the 51st Legislature, Regular Session, 1949 (Article 2647f, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. The name of Stephen F. Austin State College is changed to Stephen F. Austin State University.

"Section 2. All laws and regulations which now pertain to Stephen F. Austin State College and Stephen F. Austin State Teachers College, and all appropriations and benefits to them are available to and apply to Stephen F. Austin State University."

"Section 2. Chapter 81, Acts of the 59th Legislature, Regular Session, 1965 (Article 2648a, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. The name of Sam Houston State College is changed to Sam Houston State University.

"Section 2. All laws and regulations which now pertain to Sam Houston State College and Sam Houston State Teachers College, and all appropriations and benefits to them, are available to and apply to Sam Houston State University."

"Section 3. Chapter 8, Acts of the 56th Legislature, Regular Session, 1959 (Article 2654.1, Vernon's Texas Civil Statutes), is amended to read as follows:



"Section 1. The name of Southwest Texas State College is changed to Southwest Texas State University.

"Section 2. All laws and regulations which now pertain to Southwest Texas State College and Southwest Texas State Teachers College, and all appropriations and benefits to them, are available to and apply to Southwest Texas State University."

"Section 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

Senator Wilson offered the following Committee Amendment to the bill:

Amend S. B. 415 by striking all above the enacting clause and substituting in lieu thereof the following:

**"A BILL  
TO BE ENTITLED**

AN ACT changing the name of Stephen F. Austin State College to Stephen F. Austin State University; changing the name of Sam Houston State College to Sam Houston State University; and changing the name of Southwest Texas State College to Southwest Texas State University; amending Chapter 261, Acts of the 51st Legislature, Regular Session, 1949 (Article 2647f, Vernon's Texas Civil Statutes); amending Chapter 81, Acts of the 59th Legislature, Regular Session, 1965 (Article 2648a, Vernon's Texas Civil Statutes); amending Chapter 8, Acts of the 56th Legislature, Regular Session, 1959 (Article 2654.1, Vernon's Texas Civil Statutes); and declaring an emergency."

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

**Senate Bill 415 on Third Reading**

Senator Wilson moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that S.B. No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bates	Harrington
Cole	Kennard
Connally	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bates	Harrington
Cole	Kennard
Connally	

**Leave of Absence**

Senator Bernal was granted leave of absence for the remainder of today on account of important business on motion of Senator Berry.

(Senator Aikin in the Chair.)

**Senate Bill 310 on Second Reading**

On motion of Senator Blanchard, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 310, A bill to be entitled "An Act relating to certain death and disability benefits for firemen and their families in certain cities; amending Section 7A, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 310 on Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 310 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

**Absent—Excused**

Bates	Connally
Bernal	Harrington
Cole	Kennard

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—25**

Aikin	Blanchard
Berry	Bridges

Brooks	McKool
Christie	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harris	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Wilson
Jordan	Word
Mauzy	

**Absent—Excused**

Bates	Connally
Bernal	Harrington
Cole	Kennard

**Senate Bill 302 on Second Reading**

Senator Blanchard asked unanimous consent to suspend the regular order of business and take up S. B. No. 302 for consideration at this time.

There was objection.

Senator Blanchard then moved to suspend the regular order of business and take up S. B. No. 302 for consideration at this time.

The motion prevailed by the following vote:

**Yeas—23**

Aikin	Mauzy
Berry	McKool
Blanchard	Moore
Bridges	Patman
Brooks	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

**Nays—2**

Christie	Jordan
----------	--------

**Absent—Excused**

Bates	Connally
Bernal	Harrington
Cole	Kennard

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 302, A bill to be entitled "An Act relating to the acquisition disposition, creation, or alteration of certain documents and instruments used or conferred by institutions of

education; providing for a penalty; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend S. B. 302 by striking all of Section 2 and substituting in lieu thereof the following:

Sec. 2. A person who violates this Act or who aids another in violating this Act is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000 and/or confinement in the County jail for a period of not to exceed one year."

The amendment was read and was adopted.

On motion of Senator Blanchard, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 302 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 302 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

#### Absent—Excused

Bates	Connally
Bernal	Harrington
Cole	Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—25

Aikin	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

#### Absent—Excused

Bates	Connally
Bernal	Harrington
Cole	Kennard

#### Conference Committee on Senate Bill 22

The Presiding Officer announced the appointment by the President of the following conferees on the part of the Senate on S. B. No. 22:

Senators McKool, Hall, Bridges, Brooks and Bernal.

#### House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 58, To Committee on County, District and Urban Affairs.

H. B. No. 122, To Committee on County, Districts and Urban Affairs.

#### Senate Bill 535 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 535, A bill to be entitled "An Act amending Acts 1965, 59th Legislature, Chapter 101, to provide for the issuance of negotiable Texas college student loan bonds in the total aggregate amount not exceeding two hundred eighty-five million dollars (\$285,000,000); etc.; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendment to the bill:

Amend Senate Bill No. 535 by striking all above the enacting clause, and substituting therefor the following:

"A BILL  
TO BE ENTITLED

AN ACT amending Section 1, of Article II, Acts 1965, 59th Legislature, Chapter 101, to provide for the issuance of negotiable Texas College Student loan Bonds in the total aggregate amount not exceeding Two Hundred Eighty-five Million Dollars (\$285,000,000) and providing that they shall be prescribed by the Board subject to the limitations imposed by law and providing for the execution of such bonds and coupons by the Chairman or the Vice-Chairman and the Secretary of the Board, providing for severability and declaring an emergency."

The amendment was read and was adopted.

The bill was read second time and passed to engrossment.

Senate Bill 535 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 535 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

Absent—Excused

Bates	Connally
Bernal	Harrington
Cole	Kennard

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 286 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 286, A bill to be entitled "An Act relating to furnishing legal counsel for indigents accused of crime and to investigating entitlement to release of persons on personal bond; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 286 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 286 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

Absent—Excused

Bates	Connally
Bernal	Harrington
Cole	Kennard

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Brooks
Berry	Christie
Blanchard	Creighton
Bridges	Grover

Hall	Patman
Harris	Ratliff
Hazlewood	Schwartz
Herring	Snelson
Hightower	Strong
Jordan	Watson
Mauzy	Wilson
McKool	Word
Moore	

**Absent—Excused**

Bates	Connally
Bernal	Harrington
Cole	Kennard

**Reports of Standing Committee**

Senator Jordan, by unanimous consent, submitted the following reports:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. No. 579, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman  
RATLIFF  
HALL  
WORD

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. No. 664, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman  
RATLIFF  
HALL  
WORD

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. No. 581, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman  
RATLIFF

HALL  
WORD

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. No. 580, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman  
RATLIFF  
HALL  
WORD

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to which was referred S. B. No. 578, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JORDAN, Chairman  
RATLIFF  
HALL  
WORD

**Vote by Which Senate Bill 164  
Finally Passed Reconsidered**

On motion of Senator Hall, and by unanimous consent, the vote by which S. B. No. 164 was finally passed on yesterday was reconsidered.

Question—Shall S. B. No. 164 be finally passed?

Senator Hall offered the following amendment to the bill:

Amend S. B. No. 164 by deleting Sec. 36 thereof and substituting in lieu thereof the following:

"Sec. 36. Notwithstanding any other provision of this Act, employees of a licensee who are employed exclusively as undercover agents (as those words are commonly understood in the industry) or in the stenographic, typing, filing, clerical, private patrol, private guard, or any other activities which do not constitute the work of a private investigator, as described in this Act, shall not be required to register under this Act."

The amendment was read and was adopted by the following vote:

## Yeas—24

Aikin	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

## Present—Not Voting

Brooks

## Absent—Excused

Bates	Connally
Bernal	Harrington
Cole	Kennard

The bill as amended was again finally passed.

## Record of Vote

Senator Watson asked to be recorded as voting "Nay" on the final passage of the bill.

## Memorial Resolution

S. R. No. 536—By Senators Herring and Schwartz: Memorial resolution for Miss Eleanor Ellis Perkins.

## Welcome and Congratulatory Resolutions

S. R. No. 535—By Senator Blanchard: Extending welcome to Mr. and Mrs. H. L. Nelson, et al., of Anton.

S. R. No. 537—By Senators Jordan and Brooks: Extending welcome to students of Our Lady of Fatima School of Galena Park.

S. R. No. 538—By Senator Herring: Extending welcome to sponsors and students of fourth grade of Elgin Elementary School.

S. R. No. 540—By Senator Brooks: Extending welcome to teacher and students of Walnut Elementary School of Houston.

S. R. No. 541—By Senator Watson: Extending welcome to teacher of La Vega School of McLennan County.

S. R. No. 542—By Senator Herring: Extending welcome to sponsors and

students of Blackshear Elementary School of Austin.

S. R. No. 543—By Senator Watson: Extending welcome to students of La Vega High School of McLennan County.

## Adjournment

On motion of Senator Hightower the Senate at 12:00 o'clock M. adjourned until 11:00 o'clock a.m. Monday, April 21, 1969.

## APPENDIX

## Sent to Governor

April 17, 1969

S. J. R. No. 8

## FIFTY-FOURTH DAY

(Monday, April 21, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

## Absent—Excused

Bridges	Schwartz
Kennard	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 18, 1969, was dispensed with and Journal was approved.